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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,078	10/27/2003	Timothy A. DePottey	14273	3814
7590	11/23/2005			
Sally J. Brown AUTOLIV ASP, INC. 3350 Airport Road Ogden, UT 84405			EXAMINER GOODEN JR, BARRY J	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,078

Applicant(s)

DEPOTTEY ET AL.

Examiner

Barry J. Gooden Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-14 and 20-31 is/are rejected.
- 7) ☒ Claim(s) 6 and 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/27/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/27/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because Figure 5 shows portions 80a and 80b of the diffuser panel (36) outside of the airbag (20). If the airbag (20) is surrounding the diffuser (28) (Page 8, line 13), at no point should the diffuser panel (36) be outside of the airbag (20). Perhaps the applicant meant to show portions of the dashboard (18) outside of the airbag (20). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because:
At page 22, line 2 "airbag module that for" should be replaced with "airbag module for".
Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 29 recites the limitation "means for retaining a folded portion of the airbag cushion within the diffuser prior to discharge of the inflator" in the last three lines of the claim. It is unclear to the examiner how the airbag cushion (20) is arranged within the diffuser (28). It appears that the diffuser (28) is arranged within the airbag cushion (20) (Page 9, Lines 13-18); although, the folded portion of the airbag cushion (20) does appear to be arranged between the diffuser (28) and the housing (30).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 4-5, 7-8, 11-13, 24, 26-28, and 31 rejected under 35 U.S.C. 102(b) as being anticipated by Crohn et al., US Patent 6,422,600 B1.

In regards to claims 1-2, 4-5 and 7-8, Crohn et al. show an airbag module for installation in a vehicle, comprising:

an airbag cushion (10);

a diffuser (1) positioned inside the airbag cushion (10), the diffuser (1) comprising a diffuser panel with a plurality of venting apertures (6 or 16) disposed therein;

an inflator (5) attached to the diffuser (1), wherein at least a portion of the inflator (5) is located inside the airbag cushion (10) (See Figure 3);

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the inflator (5) comprising an inflation gas dissemination portion (19) that releases inflation gases upon activation of the inflator (5), wherein the inflation gas dissemination portion of the inflator (19) is located inside the airbag cushion (10) (See Figure 3);

only a single layer (13) of the airbag cushion (10) is spread across a first side (The top) of the diffuser (1) panel; and

further comprising a housing that is attached to the diffuser (1), wherein a folded portion of the airbag cushion (10) is situated between a second side (Not the top) of the diffuser panel (1) and the housing (See Figures 3 and 4);

a mounting bracket (See Figures 3 and 4) that is attached to the inflator (5) and that is attachable to a support structure in the vehicle;

the inflator (5) may be a disk inflator (See Figures 3 and 4).

In regards to claims 11-13, Crohn et al. show, an airbag module for installation in a vehicle, comprising:

an airbag cushion (10);

a diffuser (1) positioned inside (See Figures 3 and 4) the airbag cushion (10), the diffuser (1) comprising a diffuser panel with a plurality of venting apertures (6 or 16) disposed therein;

an inflator (5) attached (See Figures 3 and 4) to the diffuser (1), wherein the inflator (5) comprises an inflation gas dissemination portion (19) that releases inflation gases upon activation of the inflator (5), and wherein the inflation gas dissemination portion of the inflator (19) is located inside (See Figures 3 and 4) the airbag cushion (10);

only a single layer (13) of the airbag cushion (10) is spread across a first side of the diffuser panel (The top) (See Figures 3 and 4);

a housing that is attached to the diffuser (1), wherein a folded portion of the airbag cushion (10) is situated between a second side (Not the top) of the diffuser panel and the housing (See Figures 3 and 4).

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In regards to claims 24-27, Crohn et al. show, an airbag module for installation in a vehicle, comprising:

an airbag cushion (10) having a mouth;

a diffuser (1) positioned inside (See Figures 3 and 4) the airbag cushion (10), the diffuser (1) comprising a diffuser panel with a plurality of venting apertures (6 or 16) disposed therein and an inflator chamber (Seen in Figure 3 where the inflation gas is swirling) attached to a bottom side of the diffuser panel, wherein the inflator chamber comprises an inflator hole (where the inflator sits) that is substantially aligned with the mouth of the airbag cushion (10);

an inflator (5) attached to the diffuser (1), wherein the inflator (5) comprises an inflation gas dissemination portion (19) that releases inflation gases upon activation of the inflator (5), and wherein the inflator (5) extends through the mouth of the airbag cushion (10) and the inflator hole in the inflator chamber so that the inflation gas dissemination portion of the inflator (19) is located inside the airbag cushion (10).

only a single layer (13) of the airbag cushion (10) is spread across a top side of the diffuser panel (1); and

further comprising a housing (See Figures 3 and 4) that is attached to the diffuser (1), wherein a folded portion of the airbag cushion (10) is situated between the bottom side of the diffuser panel (1) and the housing (See Figures 3 and 4).

In regards to claims 28 and 31 Crohn et al. show, an airbag module for installation in a vehicle, comprising:

an airbag cushion (10);

a diffuser (1) positioned inside the airbag cushion (10), the diffuser (1) comprising a diffuser panel with a plurality of venting apertures (6 or 16) disposed therein;

an inflator (5) having an inflation gas dissemination portion (19) that releases inflation gases in response to activation of the inflator;

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means for attaching the inflator (5) to the diffuser (1) so that the inflation gas dissemination portion of the inflator (19) is located inside the airbag cushion (10); and

further comprising means for attaching the inflator (5) to a support structure in the vehicle (See Figures 3 and 4).

6. Claims 1-5, 7-14, and 20-27 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Floersheimer et al., US Patent 6,494,483.

In regards to claims 1-5, Floersheimer et al. clearly show an airbag module for installation in a vehicle, comprising:

an airbag cushion (6);

a diffuser (8) positioned inside the airbag cushion (6), the diffuser (8) comprising a diffuser panel with a plurality of venting apertures (18) disposed therein;

an inflator (4) attached to the diffuser (8), wherein at least a portion of the inflator (4) is located inside the airbag cushion (6) (See Figures 1, 3-7, and 9-10);

the inflator (4) comprising an inflation gas dissemination portion (Holes in inflator as seen in Figure 1) that releases inflation gases upon activation of the inflator (4), wherein the inflation gas dissemination portion of the inflator (4) is located inside the airbag cushion (6) (See Figure 1);

the airbag cushion (6) comprising a mouth for receiving the portion of the inflator (4) that is located inside the airbag cushion (6), and wherein the mouth of the airbag cushion (6) is substantially smaller than the diffuser panel (8) (See Figure 1);

only a single layer (6a) of the airbag cushion (6) is spread across a first side of the diffuser (8) panel (See Figure 6); and

further comprising a housing (2) that is attached to the diffuser (8), wherein a folded portion of the airbag cushion (6) is situated between a second side (not the top (10)) of the diffuser panel (8) and the housing (2) (See Figure 6).

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In regards to claims 7-10, Floersheimer et al. clearly show an airbag module for installation in a vehicle, further comprising:

a mounting bracket (2) that is attached to the inflator (4) and that is attachable to a support structure in the vehicle;

the inflator (4) may be a disk inflator (As seen in Figure 1);

the inflator (4) may be a cylindrical inflator (As seen in Figure 6); and

the shape of the diffuser panel (8) may conform to the shape of a dashboard (12 and 14) in the vehicle (As seen in Figure 6).

In regards to claims 11-14, Floersheimer et al. clearly show, an airbag module for installation in a vehicle, comprising:

an airbag cushion (6);

a diffuser (8) positioned inside (See Figure 1) the airbag cushion (6), the diffuser (8) comprising a diffuser panel (10) with a plurality of venting apertures (18) disposed therein;

an inflator (4) attached (See Figure 1) to the diffuser (8), wherein the inflator (4) comprises an inflation gas dissemination portion (Holes on the top of the inflator (4) as seen in Figure 1) that releases inflation gases upon activation of the inflator (4), and wherein the inflation gas dissemination portion of the inflator (4) is located inside (See Figure 1) the airbag cushion (6);

only a single layer (6a) of the airbag cushion (6) is spread across a first side of the diffuser panel (10) (See Figure 1);

a housing (2) that is attached to the diffuser (8), wherein a folded portion of the airbag cushion (6) is situated between a second side of the diffuser panel and the housing (This area is referred to as 16);

the airbag cushion (6) comprises a mouth for receiving the portion of the inflator (4) that is located inside the airbag cushion (6), and wherein the mouth of the airbag cushion (6) is substantially smaller than the diffuser panel (See Figures 1 and 6).

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In regards to claims 20-23, Floersheimer et al. clearly show, an airbag module for installation in a vehicle, comprising:

an airbag cushion (6);

a diffuser (8) positioned inside the airbag cushion (6), the diffuser comprising a diffuser panel (10) with a plurality of venting apertures (18) disposed therein;

an inflator (4) attached to the diffuser (8), wherein the inflator (4) comprises an inflation gas dissemination portion (Seen in Figure 1) that releases inflation gases into the airbag cushion (6) upon activation of the inflator (4), and wherein the line of gas flow between the inflation gas dissemination portion of the inflator (4) and the airbag cushion (6) does not include an attachment joint;

the airbag cushion (6) comprises a mouth for receiving the portion of the inflator (4) that is located inside the airbag cushion (6), and wherein the mouth of the airbag cushion (6) is substantially smaller than the diffuser panel (10) (As seen in Figures 1 and 6);

only a single layer (6a) of the airbag cushion (6) is spread across a first side of the diffuser panel (10); and

further comprising a housing (2) that is attached to the diffuser (8), wherein a folded portion of the airbag cushion (6) is situated between a second side of the diffuser panel (Not the top) and the housing (2) (See in Figure 6).

In regards to claims 24-27, Floersheimer et al. clearly show, an airbag module for installation in a vehicle, comprising:

an airbag cushion (6) having a mouth;

a diffuser (8) positioned inside (See Figures 1 and 6) the airbag cushion (6), the diffuser (8) comprising a diffuser panel (10) with a plurality of venting apertures (18) disposed therein and an inflator chamber attached to a bottom side of the diffuser panel (10), wherein the inflator chamber comprises an inflator hole that is substantially aligned with the mouth of the airbag cushion;

an inflator (4) attached to the diffuser (8), wherein the inflator (4) comprises an inflation gas dissemination portion (Holes on inflator; See Figure 1) that releases inflation gases upon activation of the

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inflator (4), and wherein the inflator (4) extends through the mouth of the airbag cushion (6) and the inflator hole in the inflator chamber so that the inflation gas dissemination portion of the inflator (4) is located inside the airbag cushion (6);

wherein the mouth of the airbag cushion (6) is substantially smaller than the diffuser panel (10) (See Figures 1 and 6);

only a single layer (6a) of the airbag cushion (6) is spread across a top side of the diffuser panel (10); and

further comprising a housing (2) that is attached to the diffuser (8), wherein a folded portion of the airbag cushion (6) is situated between the bottom side of the diffuser panel (10) and the housing (2) (This space is referred to as lateral areas (16) in Floersheimer et al.).

Claims 28-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Floersheimer et al., US Patent 6,494,483 B2.

In regards to claims 28-31, as best understood, Floersheimer et al. show, an airbag module for installation in a vehicle, comprising:

an airbag cushion (6);

a diffuser (8) positioned inside the airbag cushion (6), the diffuser (8) comprising a diffuser panel (10) with a plurality of venting apertures (18) disposed therein;

an inflator (4) having an inflation gas dissemination portion (Holes in the top) that releases inflation gases in response to activation of the inflator;

means for attaching the inflator to the diffuser so that the inflation gas dissemination portion of the inflator (4) is located inside the airbag cushion (6);

only a single layer (6a) of the airbag cushion (6) is spread across a top side of the diffuser panel (10), and further comprising means (22) for retaining a folded portion of the airbag cushion (6) between the diffuser (8) and the housing (2) prior to discharge of the inflator (4);

means (22) for permitting the folded portion of the airbag cushion (6) to exit the lateral areas (16) as the airbag cushion (6) inflates; and

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further comprising means (2) for attaching the inflator (4) to a support structure in the vehicle.

Allowable Subject Matter

7. Claims 6 and 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

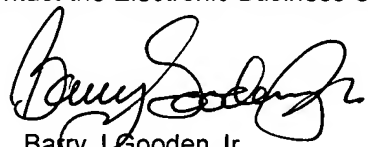
Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Adomeit et al., Sugiyama et al., Yoshioka et al., Soderquist et al., Varcus et al., Kahler et al., Rink et al., Kisher et al., Hauer et al., Lee and Kayser all disclose similar devices.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 11/17/05
Barry J. Gooden Jr.
Examiner
Art Unit 3616

BJG

 11/18/05
ERIC CULBRETH
PRIMARY EXAMINER